

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 02262 021541Z

21

ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09

TRSE-00 FEA-01 ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 H-02 INR-07 INT-05

JUSE-00 L-02 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06 /143 W

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FM US MISSION GENEVA

TO SECSTATE WASHDC 1791

C O N F I D E N T I A L GENEVA 2262

FROM US DEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: COMMITTEE I MEETING, 26 MAR. 1975

1. SUMMARY. IN COMMITTEE I MEETING CHAIRED BY ENGO (CAMEROON), TRIBUTES TO KING FAISAL AND TO DEPARTING RAPPORTEUR MOTT (AUSTRALIA) WERE MADE, LATTER OF WHOM WAS REPLACED BY BAILEY (AUSTRALIA) WITHOUT OBJECTION. USSR INTRODUCED A/CONF.62/C.1/L.12 OF 21 MAR. 1975, BASIC PROVISIONS OF RULES AND REGULATIONS GOVERNING EVALUATION AND EXPOLOITATION OF MINERAL RESOURCES IN INTERNATIONAL AREA. PERU EXPRESSED CONCERN OF GROUP OF 77 OVER REPORTS THAT UNIDENTIFIED STATE WAS MOVING FORWARD WITH DOMESTIC OCEAN MINING LEGISLATION. U.S. REPLIED (AMB. STEVENSON). AUSTRALIA AFFIRMED SUPPORT FOR PARALLEL EXPLOITATION SYSTEM AND RAISED DEEP SEA VENTURES CLAIM. PINTO GAVE SUMMARY OF PROGRESS MADE IN WORKING GROUP. END SUMMARY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 02262 021541Z

2. AFTER TRIBUTES TO KING FAISAL AND TO DEPARTING

RAPPORTEUR MOTT (AUSTRALIA), USSR (IGREVSKY DEPUTY MINISTER GEOLOGY AND VICE CHAIRMAN DELEGATION) INTRODUCED BASIC PROVISIONS OF DEEP SEABED RULES AND REGULATIONS A/CONF.62/C.1/L.12 (POUCHED SEPARATELY). AFTER STATING PROVISIONS NOT FINAL POSITION OF USSR AND THAT THEY SHOULD FORM INTEGRAL PART OF LOS CONVENTION, USSR REFERRED TO FOLLOWING PROVISIONS: ALL STATES ENJOY RIGHT TO EVALUATE AND EXPLOIT THROUGH CONTRACT COVERING BOTH EVALUATION AND EXPLOITATION PHASES, WITH NUMBER OF CONTRACTS GRANTED EACH STATE LIMITED TO AVOID MONOPOLIES (ART. 3, 9); INTERNATIONAL ORGANIZATION WOULD ENJOY RIGHT TO RESERVE SECTORS OF SEABED FOR EVALUATION AND EXPLOITATION ITSELF (ART. 7); GRANTING OF CONTRACTS BY AUTHORITY, WHICH WOULD TAKE INTO ACCOUNT SPECIAL NEEDS OF DEVELOPING COUNTRIES; CONTRACTS WOULD BE GIVEN FOR FOUR CATEGORIES OF MINERALS; AND LDC EXPERTS WOULD HAVE RIGHT TO PARTICIPATE IN EVALUATION AND EXPLOITATION ACTIVITIES OF ALL STATE PARTIES (ART. 21). RISK CAPITAL REQUIRED CONTRACTUAL RIGHT TO PROVEED FROM EVALUATIVE TO EXPLOITATIVE PHASE. AUTHORITY COULD ITSELF ENGAGE DIRECTLY IN EVALUATION AND EXPLOITATION PHASES AND WOULD ENJOY PREFERENCE TO AREAS BEFORE COMPETITIVE BIDDING FOR CONTRACTS COMMENCED (ART. 7).

3. AFTER SUMMARY OF PROGRESS MADE IN WORKING GROUP BY ITS CHAIRMAN (PINTO) AND STATEMENT BY ENGO THAT PLENARY WILL MEET APRIL 7 TO HEAR REPORT OF WEEKLY COMMITTEE CHAIRMEN, PERU, SPEAKING ON BEHALF OF GROUP OF 77, INDICATED CONCERN OVER STEPS TAKEN BY AN UNIDENTIFIED STATE (U.S.) TO ENABLE UNILATERAL ISSUANCE OF LICENSES FOR DEEP SEA MINING. HE OBJECTED TO FEB. 1976 DEADLINE FOR CONFERENCE ACTION REPORTED TO BE INCLUDED IN DRAFT OCEAN MINING BILL AND REFERRED TO 1970 G.A. RESOLUTION 2749 (COMMON HERITAGE OF MANKIND RESOLUTION) AND G.A. RESOLUTION 2574 (MORATORIUM RESOLUTION) AS PROHIBITING SUCH UNILATERAL ACTION. HE CALLED UPON STATES TO RECOGNIZE DESTRUCTIVE EFFECT ON NEGOTIATIONS THAT WOULD BE GENERATED BY TAKING THESE MEASURES. IN COMPARISON TO SIMILAR INTERVENTIONS AT PREVIOUS SESSIONS, STATEMENT WAS MILD REPRIMAND.

CONFIDENTIAL

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PAGE 03 GENEVA 02262 021541Z

4. U.S. (AMB. STEVENSON) DELIVERED LOW-KEY RESPONSE THAT EMPHASIZED U.S. HAD NOT CHANGED POSITION THAT INTERNATIONALLY AGREED DEEP SEABED REGIME WAS BEST SOLUTION AND HAD COME TO GENEVA TO NEGOTIATE THAT REGIME. HE STATED THAT REPORTED LEGISLATION WAS PREPARED BY ONE GOVERNMENTAL AGENCY FOR EXECUTIVE BRANCH CONSIDERATION AND HAD NEITHER BEEN ENDORSED OR INTRODUCED INTO CONGRESS. ON OTHER HAND, HE INDICATED EXECUTIVE BRANCH COMMITMENT TO CONSIDER

LEGISLATIVE APPROACHES WITH PRIMARY EMPHASIS ON PROVISIONAL APPLICATION. HE EXPRESSED U.S. DISAGREEMENT WITH PERU'S INTERPRETATION OF DECLARATION OF PRINCIPLES AND REFERRED COMMITTEE TO U.S. STATEMENT DELIVERED AT DATE OF PASSAGE U.S. STATEMENT HAS BEEN PRAISED PRIVATELY AS ADOPTING NECESSARY TONE TO CUT OFF DEBATE.

5. AUSTRALIA, SUPPORTED A DUAL SYSTEM ENABLING AUTHORITY TO EXPLOIT DIRECTLY AND TO ENTER INTO CONTRACTUAL ARRANGEMENTS WITH STATES. HE EXPRESSED CONCERN OVER DEEP SEA VENTURES CLAIM AND STATED AUSTRALIAN NON-RECOGNITION OF EXCLUSIVE RIGHTS TO HIGH SEA AREAS, WHILE RECOGNIZING LEGITIMACY OF DEEP SEA MINING AS ACCEPTED USE OF HIGH SEAS.
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